

Message Text

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PAGE 01 KADUNA 01077 160744Z

ACTION AF-10

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E.O. 11652: NA

TAGS: PGOV, PDEV, NI

SUBJECT: MORE CONTROVERSY OVER SHARIA

1. SUMMARY: NEW NIGERIAN REPORTED AUGUST 15TH THAT TWENTY MEMBERS OF THE CONSTITUENT ASSEMBLY HAVE DISASSOCIATED THEMSELVES FROM THE PROVISIONS OF THE DRAFT CONSTITUTION RELATING TO JUDICATURE AND WANT THE ASSEMBLY RECONVENED. FOUR MCAS FROM NIGER STATE AND ALL 16 REPRESENTATIVES FROM KANO STATE REPORTEDLY REITERATED THEIR OPPOSITION TO DECISIONS OF THE ASSEMBLY ON THE FEDERAL SHARIA COURT OF APPEAL. END SUMMARY.

1. THE MCAS FROM NIGER STATE IN A LETTER DATED AUGUST 11, 1978 SIGNED BY ALHAJI JIBRIN SALIHU, ALHAJI IBRAHIM MAJIDADI, ALHAJI SULEIMAN TAKUMA AND ALHAJI MUHAMMADU I. KUSHERKI, CALLED ON THE CONSTITUENT ASSEMBLY'S CHAIRMAN, MR. JUSTICE UDO UDOMA, TO RECONVENE THE BODY TO DISCUSS ONCE MORE THE ISSUE OF SHARIA IN THE INTEREST OF THE NATION.

2. THE TEST OF THE LETTER FOLLOWS: "AS ACCREDITED REPRESENTATIVES OF OUR PEOPLE, WE HEREBY REITERATE OUR EARLIER STAND ON THE CHAPTER ON JUDICATURE. AND LIMITED OFFICIAL USE

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WE WOULD LIKE IT TO BE ON RECORD THAT WE MEMBERS OF THE ASSEMBLY FROM NIGER STATE DECLARE CATEGORICALLY THAT NEITHER OUR HUMBLE SELVES NOR THE PEOPLE WE REPRESENT HAVE ANYTHING TO DO WITH CHAPTER SEVEN AS REFLECTED IN THE CONSTITUTION. WE CONSIDER IT WORTH-WHILE FOR THE CHAIRMAN TO RECONVENE THE ASSEMBLY IMMEDIATELY IN THE INTEREST OF THIS NATION TO DISCUSS

ONCE MORE THE ISSUE OF JUDICATURE."

3. THE 16 KANO MCAS OVER THE PAST WEEKEND URGED MR. JUSTICE UDO UDOMA TO RECONVENE THE ASSEMBLY AS A MATTER OF URGENCY TO RECONSIDER CHAPTER SEVEN OF THE DRAFT CONSTITUTION WHICH DEALS WITH THE SHARIA COURT OF APPEAL. THE GROUP EXPRESSED THE VIEW THAT RECONSIDERATION OF THE CHAPTER WAS THE ONLY COURSE OF ACTION THAT WOULD ENSURE THAT THE CONSTITUTION BEING PREPARED NOW WOULD BE ACCEPTED THROUGHOUT THE NATION. IN THE LETTER DATED AUGUST 7, THE KANO MCAS RECALLED THEIR WITHDRAWAL FROM THE DELIBERATIONS OF THE CONSTITUENT ASSEMBLY AND A WRITTEN STATEMENT SUBMITTED TO THE CHAIRMAN IN WHICH THEY HAD SAID THAT THEY WOULD ONLY RETURN TO THE ASSEMBLY IF THEIR DEMANDS WERE MET. THE MCAS POINTED OUT THEY HAD RETURNED TO THE ASSEMBLY IN RESPONSE TO AN APPEAL MADE BY THE HEAD OF STATE TO ALL MEMBERS TO RESUME AND RESOLVE MATTERS AMICABLY. THE KANO MCAS SAID THEY RETURNED ON THE ASSUMPTION THAT THE DECISIONS ON THE SHARIA WHICH WERE ARRIVED AT DURING THEIR ABSENCE WOULD BE ANNULLED AND THE DEBATE REOPENED. THEY EXPRESSED REGRET THAT THE ISSUE WAS NEVER REOPENED. KANO MEMBERS WHO SIGNED THE LETTER:
DR. I.H. UMAR, ALHAJI BASHIR D. TOFA, ALHAJI B.M. DALHATU, DR. DAHIRU YAHAYA, ALHAJI AHMED SANI, ALHAJI MUSA SAI'D ABUBAKAR, MALAM SHEHU UMAR ABDULLAHI,
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ALHAJI SALE UMAR MINIBIR, MALAM MUHAMMED AMINU IBRAHIM, ALHAJI YUSUF GARBA ALI, ALHAJI BELLO MAITAMA YUSUF, ALHAJI AMINU KANO, ALHAJI AMINU DANTATA, ALHAJI SHEHU AHMED AND ALHAJI MOHAMMED ABUBAKAR RIMI.

4. COMMENT: THIS BILATERAL MOVE ON THE PART OF KANO AND NIGER STATE MCAS MAY INDICATE THAT THE SHARIA ISSUE IS A LONG WAY FROM BEING RESOLVED AND THAT THIS MAY BE THE START OF AN EVEN GRAVER ROUND OF CONTROVERSY. HOWEVER IT REMAINS TO BE SEEN IF THE OTHER NORTHERN MCAS WILL FOLLOW IN FULL FORCE THE LEAD OF NIGER AND KANO STATE. ABSENT FROM THE NAMES PUBLISHED OF KANO MCAS WHO SIGNED LETTER TO CHAIRMAN UDOMA WAS ALHAJI HASSAN HADEJI. ONLY FIFTEEN NAMES WERE ACTUALLY PUBLISHED.
LAKE

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